

0.96 and 0.172 to consider, adjust, determine, compromise, settle, and pay federal tort claims if the amount of a proposed adjustment, compromise, settlement, or award does not exceed the amount specified in 28 CFR 0.172. Pursuant to 28 CFR 0.97, this authority is redelegated to the General Counsel and to Regional Counsel in accordance with the provisions of this subpart.

§ 543.31 Procedures.

(a) Staff shall provide the necessary forms to an individual who wishes to file a claim.

(b) Claims are to be submitted first to the Regional Office in the region where the basis for the claim occurred (see 28 CFR part 503 for the addresses of Regional Offices).

(c) Claims are ordinarily referred by the Regional Office to the appropriate institution for investigation. The Warden shall designate a staff member to investigate and prepare a report on the claim. The report, with the Warden's recommendations, shall be forwarded to Regional Counsel.

(d) The Regional Counsel shall consider the merits of the tort claim. The Regional Counsel may deny the claim, propose to the claimant a settlement (up to an amount established by the director, Bureau of Prisons), or forward the claim with recommendations to the Office of General Counsel, Central Office.

(e) The General Counsel shall consider the merits of a tort claim not denied or settled by Regional Counsel, and may deny the claim, propose a settlement to the claimant (up to an amount established by the Director, Bureau of Prisons), or otherwise dispose of the claim.

(f) The denial of a claim constitutes a final administrative action. Either the Regional Counsel or General Counsel may deny any claim filed under the Federal Tort Claims Act, regardless of the amount.

(g) Staff shall attempt to make a claim determination within six months from the date of filing. If a final disposition is not made within the six-month period, the claimant may assume that the claim is denied. An individual whose claim is denied may elect

to institute a suit upon denial of that claim.

§ 543.32 Appreciation and depreciation.

Staff may take appreciation or depreciation into account in settling a claim filed under the Federal Tort Claims Act involving loss of or damage to personal property.

PART 544—EDUCATION

Subparts A–B [Reserved]

Subpart C—Postsecondary Education Programs for Inmates

Sec.

544.20 Purpose and scope.

544.21 Definition.

544.22 Enrollment requirements.

544.23 Procedures.

Subpart D—Inmate Recreation Programs

544.30 Purpose and scope.

544.31 Definitions.

544.32 Goals.

544.33 Movies.

544.34 Inmate running events.

544.35 Art and hobbycraft.

Subpart E—Mandatory English-as-a-Second Language Program (ESL)

544.40 Purpose and scope.

544.41 Applicability: Who must attend the ESL program.

544.42 Procedures.

544.43 Incentives.

544.44 Disciplinary action.

Subpart F—Occupational Education Programs

544.50 Purpose and scope.

544.51 Types of occupational education programs.

544.52 Vocational training.

544.53 On-the-job-training.

544.54 Apprentice training.

544.55 Procedures for occupational education programs.

544.56 Exploratory training.

Subpart G [Reserved]

Subpart H—Literacy Program

544.70 Purpose and scope.

544.71 Exceptions to required literacy program participation.

544.72 Incentives.

544.73 Program participation.

544.74 Work assignment limitations.